

Title	<p>Domestic Violence: Plain Language Forms</p> <p><b>Revoke forms</b> DV-100, DV-100A, DV-110, DV-120, DV-130, DV-140, DV-150, 1296.45, and 1296.31E. <b>Adopt forms</b> FL-800, FL-800A, FL-810, FL-820, FL-825, FL-830, FL-831, FL-832, FL-833, FL-835, FL-840, FL-841, FL-870, FL-890, and FL-895. <b>Approve forms</b> FL-801, FL-851, FL-852, FL-853, FL-854, FL-855, FL-856, FL-857, FL-858, FL-859, FL-860, FL-861, and FL-896</p>
Summary	<p>The proposed domestic violence forms would be easier for self-represented litigants to complete and understand.</p>
Source	<p>Family and Juvenile Law Advisory Committee</p>
Staff	<p>Tamara Abrams, 415-865-7712</p>
Discussion	<p>The proposed domestic violence forms were drafted with the assistance of a literacy expert and with input from court clerks and managers, domestic violence victim advocates, law enforcement officers, and judicial officers. The Family and Juvenile Law Advisory Committee provided review and oversight of the drafting. Through the use of plain language and creative formatting, the proposed forms are intended to be simpler to use and understand than the current domestic violence forms. The committee seeks comment on the overall proposal, as well as on particular formatting and substantive issues highlighted in the discussion below.</p> <p><u>Major Formatting Revisions</u></p> <p><i>Headings.</i> The first-page heading is replaced with text that directly addresses the person filling out the form, intended to be easier for self-represented litigants to understand. Attorney information is set out separately. The “file stamp” area, court location, and case number boxes are consolidated. Subsequent page headings require only the moving party’s name and case number. The respondent’s name is eliminated.</p> <p><i>Form names and numbers.</i> The form name and number are prominently displayed in the upper-left corner. The name is repeated in the footer. The forms are numbered to comply with the new renumbering system. The “FL” designation replaces the “DV” designation, to indicate that the forms are for family law actions, and to make it clear that other family law forms can be attached, as necessary. Throughout the forms, numbers are preferred over names.</p>

This preference follows tax form theory. It is believed that people can remember form numbers more easily than names. People are more likely to memorize and refer to form numbers because they are distinctive and shorter. In addition, the use of numbers reduces repetitive and lengthy form name references.

*Footers.* The lower-right corner is reserved for the page number and, when appropriate, an arrow to indicate another page. Code sections are moved to the lower left corner, along with the form adoption/approval or revision date, since self-represented litigants are less likely to require this information. Forms are clearly identified as to whether or not they are orders by the reverse bold text at the bottom of the page. This text appears on the first and/or last page of each form.

*Text.* All text is revised for a sixth-grade reading level, whenever possible. The font is larger than in the current Judicial Council forms and is generally 11- or 12-point type. The current font is generally 9- or 10- point type.

*Graphics.* Key information such as hearing dates, service dates, item numbers, and termination dates are highlighted by reverse block graphics.

*Litigant identifiers.* The person seeking protection would always be named in item 1 throughout the forms. The person to be restrained would always be named in item 2 throughout the forms. In addition, the parties could also identify with the star or diamond graphic by their names. These identifiers would make it easier for litigants, court clerks, and law enforcement to easily track the parties.

*Page sequence.* In the current style for Judicial Council forms, the text on the back of a page must be “upside down” (see California Rule of Court 982(e)). Forms printed in this way are often referred to as “tumbled” forms. Tumbled forms are easier for court clerks and judicial officers to process and read. However, they can be challenging for self-represented litigants to complete and photocopy. that are printed the same direction on both sides. The committee seeks comment on whether it should propose a rule to permit filing of two-sided forms without the requirement for tumbling.

#### Substantive Revisions

In general, the use of simpler words is not intended to change the

meaning of the text. The committee specifically seeks comment on whether any text revisions would result in a change of meaning, from the forms currently in effect.

All substantive revisions to existing forms are specifically listed under each form heading below. The committee seeks comment on all substantive revisions. The committee specifically seeks comment on item 9 on form FL-810 (the firearm ownership provision). The provision is discussed below in detail.

### Forms

FL-800, *Request for Order (Domestic Violence Prevention)*. This form would replace existing form DV-100. Key new features of the simplified form include the following:

- Requests for other court cases would be consolidated into one area.
- The check boxes for type of abuse are eliminated. The reason for this deletion is that courts are unlikely to make a finding of abuse sufficient to grant the order merely from the check box. Courts usually require a showing of a past act or acts of abuse from the petitioner's declaration. Therefore, this unnecessary text is eliminated.
- The check boxes to enable a litigant to request an order only at the hearing, instead of on a temporary basis, are eliminated. The theory is that the vast majority of litigants seeking protective orders want them immediately.
- The section for permission for peaceful contact related to visitation is moved to the visitation form (FL-831) and is modified to make clear that contact is allowed only as it relates to court-ordered exchange or in emergencies.
- All issues relating to children are consolidated on the child custody, visitation, and child support attachment (Form FL-800A)
- Written contact for service of papers regarding an ongoing court case is allowed.
- The property restraint provision has been shortened. Family

Code section 6325 provides that the court can issue the marital property restraint orders as provided in Family Code section 2045. That section specifies two types of property restraint. The form would be modified to eliminate the requirement that a party notify the other of any proposed extraordinary expenditures. The theory is that very few litigants use this provision and that litigants subject to a restraining order are otherwise prevented from contacting the protected party. The court could add this order if needed. Staff seeks comment on this deletion.

FL-800A, *Attachment to Request for Order (Domestic Violence Prevention)*. This form would replace existing form DV-100A. The form would be revised to include the information on existing form MC-150, *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)*. The theory is that litigants are currently required to complete form MC-150 when they request custody orders in their restraining order requests. Combining the forms would reduce the duplicative information currently required of litigants.

FL-801, *Description of Abuse (Domestic Violence Prevention)*. This would be a new optional form to help self-represented litigants provide more complete information about the abuse.

FL-810, *Temporary Restraining Order (Domestic Violence Prevention)*. This form would replace existing form DV-110. Key features of the simplified form include the following:

- The “case type” boxes would be eliminated;
- A Spanish language warning would be added;
- The marital property warning would be shortened to refer to “property” instead of “real or personal property”;
- The standard warning not to possess a gun would be added as a discretionary court order;
- Instructions for law enforcement would be added as an additional page to the order;
- The order for the litigant to distribute a copy of the order to law enforcement would be deleted, since that requirement was

deleted from the statute.

The committee specifically seeks comment on the addition of a discretionary court order not to possess a firearm. The current form contains a warning that any person subject to a protective order may not own or possess a firearm. The committee believes that identifying that provision as a specific court order brings the issue to the restrained person's attention more clearly. The main issue is whether the order should be mandatory or discretionary.

Family Code section 6389(a) specifies that anyone subject to a protective order as defined in Family Code section 6218 shall not own, possess, purchase, or receive a firearm while that protective order is in effect. Section 6218 includes temporary orders issued ex parte, or after notice and hearing. Family Code section 6389(c) specifies that the court must order the restrained person to relinquish his or her firearms at a duly noticed hearing. Therefore, the statute is ambiguous. The statute denies ownership or possession of a firearm upon the issuance of a restraining order (noticed or not), but does not require relinquishment of that firearm until a duly noticed hearing.

The current form (DV-110) responds to the law by including the statutorily required warning about the prohibition on ownership or possession of a firearm. The firearm relinquishment order is discretionary, in keeping with the statute which requires relinquishment after a duly noticed hearing.

The committee seeks comment on two different options for reconciling the statutory framework.

#### Option 1:

The first option is reflected in the proposed form, which is attached for comment. It contains a discretionary checkbox to order the restrained person to relinquish his or her firearm, and also includes a discretionary checkbox to order the restrained person not to own or possess a firearm.

#### Option 2:

The second option would present a change from the current form. It would make both the ownership provision and the relinquishment provision mandatory. Under Option 2, items 9 and 10 on form FL-810

would appear as follows:

9. ☒ No Guns or Other Firearms

The person in 2 cannot own, have, buy, receive or try to buy, or receive, or in any other way get a gun or firearm.

10. ☒ Turn in or Sell Guns or Firearms

The person in 2:

a. ☐ **was not** in court when this order was made. That person must sell to a gun dealer or turn in to police any guns or firearms that he or she has or controls within 48 hour of receiving this order.

b. ☐ **was** present in court when this order was made. That person must sell to a gun dealer or turn in to police any guns or firearms that he or she has or controls within 24 hours of receiving this order.

c. ☒ must bring a receipt to the court within 72 hours of receiving this order, to prove that guns have been turned in or sold.

The committee seeks comment on both options.

FL-820, *Answer to Temporary Restraining Order (Domestic Violence Prevention)*. This form would replace existing form DV-120.

FL-825, *Reissue Temporary Restraining Order (Domestic Violence Prevention)*. This would be a new mandatory form, adopted for use only in Domestic Violence Prevention Act (DVPA) cases.

FL-830, *Restraining Order After Hearing (Domestic Violence Prevention)*. This form would replace existing form DV-130. Key features of the simplified form include the following: (1) a new section requiring the parties to return for review; (2) as in FL-810, the law enforcement instructions would be added as an extra page to the order.

FL-831, *Child Custody & Visitation Order (Domestic Violence Prevention)*. This would be a new mandatory form, adopted for use only in DVPA cases. It would be attached to the Temporary Restraining Order or Order After Hearing, and would be two pages to allow for the larger font. The provision for peaceful contact for

visitation exchange and emergencies would be added to this form and removed from forms FL-810 and FL-830.

FL-832, *Supervised Visitation Order (Domestic Violence Prevention)*. This form would be retained, pursuant to significant comment during the summer 2001 public comment period. It would be adopted as a new form for use only in DVPA cases.

FL-833, *Child Support Order (Domestic Violence Prevention)*. This form would be adopted as a new form for use only in DVPA cases.

FL-835, *Other Orders (Domestic Violence Prevention)*. This form would replace existing form 1296.31E, *Domestic Violence Miscellaneous Orders Attachment*. This form would only be attached to FL-830, *Restraining Order After Hearing*.

FL-840, *Proof of Service (In Person) (Domestic Violence Prevention)*. The existing *Proof of Service* form (DV-140) would be separated into two forms. The proof of personal service would be a standalone form, with the title revised for easier comprehension.

FL-841, *Proof of Service By Mail (Domestic Violence Prevention)*. This form would be added to reduce confusion about which forms can be served by mail.

FL-851, *Forms You Need for a Temporary Restraining Order (Domestic Violence Prevention)*. This form and those numbered up through FL-861 would replace the information currently found in DV-150, the *Domestic Violence restraining Orders Instruction Booklet*.

FL-852, *Can A Domestic Violence Restraining Order Help Me? (Domestic Violence Prevention)*. Basic information for the person seeking protection would be found in this form.

FL-853, *I Filled Out the Forms – What Now? (Domestic Violence Prevention)*. For the person seeking protection, this form would provide general information about the next steps.

FL-854, *What Is Proof of Service? (Domestic Violence Prevention)*. This form would provide basic information about how to effectuate personal service; it is intended for the person seeking protection.

FL-855, *Get Ready for Your Hearing, (Domestic Violence Prevention)*. This form would provide information about the court hearing for the

person seeking protection.

FL-856, *How to Enforce Your Order (Domestic Violence Prevention)*. This form would provide information about enforcement for the person seeking protection.

FL-857, *Information for the Restrained Person (Domestic Violence Prevention)*. This form would provide general information for the person responding to a restraining order request.

FL-858, *Get Ready for Your Hearing (Domestic Violence Prevention)*. This form would provide information about the court hearing for the person responding to a restraining order request.

FL-859, *Information About FL-825 (Domestic Violence Prevention)*. This form would provide general information about the reissuance process and requirements.

FL-860, *How Can I Make the Order Permanent? (Domestic Violence Prevention)*. A checklist for the person seeking a Restraining Order After Hearing would be made available.

FL-861, *Which Financial Form? (Domestic Violence Prevention)*. This form would provide litigants with information about whether they should use the *Income and Expense Declaration*, or the *Financial Statement (Simplified)*.

FL-870, *Registration of Foreign Restraining Order (Domestic Violence Prevention)*. This form would replace existing form 1296.45, *Registration of Foreign Domestic Violence Restraining Order and Order (CLETS) (Domestic Violence Prevention) (Family Law)*.

FL-890, *Request to Renew Restraining Order and Judge's Order for Hearing (Domestic Violence Prevention)*. This mandatory new form would provide a way for litigants to renew their orders pursuant to Family Code section 6345. The statute does not specifically provide for a procedure. Thus, the form provides for a hearing date and service of process. Staff specifically seeks comment on this proposed procedure.

FL-895, *Proof of Firearms Turned In or Sold (Domestic Violence Prevention)*. This optional form would allow the restrained person to provide the court with a standardized receipt to indicate compliance with the court's firearm relinquishment order, pursuant to Family Code



section 6389.

FL-896, *What Do I Do With My Gun or Firearm? (Domestic Violence Prevention)*. This new form would provide instructions on how to legally and safely relinquish a firearm.

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Attachments

If filed, clerk will stamp below

★ **1** Your name (person asking for protection):

\_\_\_\_\_  
Your address, or if confidential, address where mail can be sent to you *(Skip this if you have a lawyer)*:  
\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your phone # (optional): (\_\_\_\_\_) \_\_\_\_\_

Your lawyer's name *(if you have one)*, address, telephone, and State Bar #: \_\_\_\_\_  
\_\_\_\_\_

◆ **2** Name of person you want protection from (restrained person):

Describe that person: Sex: ☐ M ☐ F • Ht.: \_\_\_\_\_ • Wt.: \_\_\_\_\_

Race: \_\_\_\_\_ • Hair Color: \_\_\_\_\_

Eye Color: \_\_\_\_\_ • Age: \_\_\_\_\_ • Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_

*(Court name and street address):*

**Case Number:**

**3** Besides you, who needs protection?

Name	Age	Lives with you?	How are they related to you?
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

*If you need more space, attach a sheet of paper and write "Item 3 - Protected People" at the top.*

**4** Your relationship to the person in **2** *(check all that apply)*:

- a. ☐ are now married.
- b. ☐ used to be married.
- c. ☐ live together.
- d. ☐ used to live together.
- e. ☐ are relatives, in-laws, or related by adoption *(specify)*: \_\_\_\_\_
- f. ☐ are dating.
- g. ☐ dated.
- h. ☐ are engaged to be married.
- i. ☐ were engaged to be married.
- j. ☐ are the parents of a child or children under 18.
- ☐ (1) We have signed a "Voluntary Declaration of Paternity" for our child or children.  
*(Attach a copy if you have one.)*
- ☐ (2) The court has decided that the other parent is a legal parent.

**This is not a Court Order.**



Your name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**Check the boxes that apply to your case.**

**5 ☐ Other Court Cases**

- a. Have you and the person in ② been involved in another court case? ☐ No ☐ Yes

If yes, what kind of case? (*check all that apply*):

- ☐ Divorce/Dissolution ☐ Annulment ☐ Legal Separation ☐ Domestic Violence ☐ Criminal  
☐ Juvenile ☐ Child Support ☐ Parentage/Paternity ☐ Other: \_\_\_\_\_

If yes, where? County: \_\_\_\_\_ State: \_\_\_\_\_

What are the case numbers? (*If you know*) \_\_\_\_\_

- b. Is there a criminal protective order? ☐ No ☐ Yes If “Yes”, attach a copy if you have one.

**6 ☐ Personal Conduct Order**

I ask the court to order the person in ② not to: contact, either directly or indirectly, or telephone, send messages or mail, harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, disturb the peace, keep under surveillance, block movements, or molest me or any of the people listed in ③.

**7 ☐ Stay-Away Order**

I ask the court to order the person in ② to stay at least \_\_\_\_\_ yards away from:

(*Check all that apply*)

- |  |   |
|--|---|
| a. <input type="checkbox"/> Me                     | e. <input type="checkbox"/> The children’s school or child care |
| b. <input type="checkbox"/> The people listed in ③ | f. <input type="checkbox"/> My car                              |
| c. <input type="checkbox"/> My home                | g. <input type="checkbox"/> Other (specify): _____              |
| d. <input type="checkbox"/> My job or workplace    | _____   |

If the person listed in ② is ordered to stay away from all the places listed above, will he or she still be able to get to his or her home, school, job, church or temple? ☐ Yes ☐ No (*If no, explain*): \_\_\_\_\_

**8 ☐ Move-out Order**

I ask the court to order the person in ② to move out from and not return to:

(*Address*) \_\_\_\_\_

I have the right to live at the above address because (*explain*): \_\_\_\_\_

**9 ☐ Child Custody, Visitation and Child Support**

I ask the court to order child custody, visitation and/or child support.

(*You must fill out and attach Form FL-800A.*)

**10 ☐ Written Contact for Ongoing Case**

I ask the court to let the person in ② have peaceful written contact with me for service of legal documents only.



Your name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**11** ☐ **Record Unlawful Communications**

I ask for the right to record communications made to me by the person in ② that violate the judge's orders.

**12** ☐ **Property Control**

I ask the court to give *only* me temporary use, possession, and control of the property we own or are buying, listed here: \_\_\_\_\_

**13** ☐ **Debt Payment**

I ask the court to order the person in ② to make these payments while the order is in effect:

*If you need more space, attach Form MC-020 or a sheet of paper and write "Item 13 - Debt Payment" at the top.*

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**14** ☐ **Property Restraint**

I am married to the person in ②. I ask the judge to order that he or she not borrow against, sell, hide, or get rid of or destroy any property, except in the usual course of business or for necessities of life.

**15** ☐ **Spousal Support**

I am asking for spousal support. *You can only ask for this if you file this form in your divorce, separation or annulment case. You must fill out ④ of this form, AND fill out and file Form FL-150. You may have to pay a fee.*

**16** ☐ **Attorney Fees and Costs**

I ask that the person in ② pay some or all of my attorney fees and costs.

*You must complete and file Form FL-150.*

**17** ☐ **Restitution.** I ask that the person in ② pay the following:

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

*You can ask for lost earnings or your costs for services caused directly by the person in ② (damaged property, medical care, counseling, temporary housing, etc.). You must bring proof of these expenses to your hearing.*

**18** ☐ **Batterer's Program**

I ask the court to order the person listed in ② to go to a batterer's program and show proof of completion to the court. *(A batterer's program teaches how to stop being abusive.)*

**19** ☐ **Free Service by Law Enforcement**

I ask that law enforcement serve the restraining orders for free. *In some counties, you have to file Form 982(a)(17). Ask the clerk if you need to file this form.*



Your name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**20** ☐ **More Time for Service**

I need extra time to serve these papers. Because of the facts explained on this form, I want the papers served up to \_\_\_\_\_ days before the date of the hearing. *For help on "Service", read FL-854.*

*If necessary, add additional facts:* \_\_\_\_\_

**21** ☐ **Other Orders**

What other orders are you asking for? \_\_\_\_\_

**22** ☐ **Describe Abuse**

Describe how the person in **2** abused you. Start with the most recent abuse. Describe it in detail.

*If you need more space, use Form FL-801 or MC-020. Or, attach a sheet of paper and write "Item 22 - Abuse" at the top.*

☐ *Check here if you are attaching another sheet.*

a. Date of most recent abuse: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

b. What happened? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Any guns or other weapons used or threatened? ☐ Yes ☐ No ☐ I don't know

d. Were you injured? ☐ Yes ☐ No ☐ I don't know

e. Describe any injuries: \_\_\_\_\_

\_\_\_\_\_

f. Describe previous abuse: \_\_\_\_\_

\_\_\_\_\_

*Need more space? Use Form FL-801 or MC-020. Or, attach a sheet of paper and write "Item 22 - Abuse" at the top.*

**23** ☒ **Turn in Guns or Other Firearms**

I ask the judge to order the person in **2** to sell or turn in any guns or firearms that he or she has or controls.

*(Describe any use or threatened use of firearms in **22**.)*

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

\_\_\_\_\_  
Type or print your name



\_\_\_\_\_  
Sign your name

**This is not a Court Order.**

- ★ 1 Your name: \_\_\_\_\_ ☐ Mom ☐ Dad ☐ Other  
☐ Keep my address private.  
☐ Keep the address of my children who live with me now private.

- ◆ 2 Name of other parent: \_\_\_\_\_ ☐ Mom ☐ Dad ☐ Other

3 ☐ **Change of** ☐ **Custody** ☐ **Visitation Orders**

I ask the court to change a current child custody or visitation order.

Use 21 of Form FL-800 to explain your current order and why you want this change.

4 ☐ **Child Custody**

I ask the court for custody as follows:

Legal custody to:

(Decisions about health, education, etc.)

Physical custody to:

(Who the child lives with)

Child's name	Birth date	Mom	Dad	Other*	Mom	Dad	Other*
a. _____	___/___/___	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. _____	___/___/___	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. _____	___/___/___	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. _____	___/___/___	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If more children, attach a sheet of paper and write "Item 4 – Child Custody" at the top.

\*If Other, specify: \_\_\_\_\_

5 **Birthplace of Children in 4**

State:

Country:

Child in 4a was born in \_\_\_\_\_, \_\_\_\_\_  
 Child in 4b was born in \_\_\_\_\_, \_\_\_\_\_  
 Child in 4c was born in \_\_\_\_\_, \_\_\_\_\_  
 Child in 4d was born in \_\_\_\_\_, \_\_\_\_\_

If more children, attach a sheet of paper and write "Item 5 – Birthplace of Children" at the top.

6 **Children's Address**

Start with where the child in 4a lives now and give information for the past five (5) years.

Child in 4a lives with (Name)	Mom	Dad	Other*	Dates lived there
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	___/___/___ to present
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	___/___/___ to ___/___/___
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	___/___/___ to ___/___/___
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	___/___/___ to ___/___/___
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	___/___/___ to ___/___/___

\* If Other, specify: \_\_\_\_\_

**This is not a Court Order.**

Your name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**7 Other Children's Addresses**

- ☐ Check here if the other child's (or children's) address information is the same as listed in 6.

*If it is different, attach a sheet of paper and write "Item 7 - Other Children's Addresses" at the top, and list other children's address information.*

- 8** Were you involved in, or do you know of, any other custody case for the child or children listed above? ☐ No ☐ Yes  
*If yes, fill out below:*

a. Name of each child in other custody case: \_\_\_\_\_

b. Type of case: ☐ Divorce ☐ Guardianship ☐ Adoption ☐ other (specify): \_\_\_\_\_

c. I was a ☐ witness ☐ party ☐ other (specify): \_\_\_\_\_

d. Court (Name of court): \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

e. Date of court order: \_\_\_\_/\_\_\_\_/\_\_\_\_

- 9** Do you know of anyone who is not involved in this case who has or claims to have custody or visitation rights with any child listed on this form? ☐ No ☐ Yes *If yes, fill out below:*

**A**

The person below  
(Name and address of person):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ Has custody  
☐ Claims custody rights  
☐ Claims visitation rights

For (Name of each child):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**B**

The person below  
(Name and address of person):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ Has custody  
☐ Claims custody rights  
☐ Claims visitation rights

For (Name of each child):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C**

The person below  
(Name and address of person):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ Has custody  
☐ Claims custody rights  
☐ Claims visitation rights

For (Name of each child):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

How many pages are attached to this page? \_\_\_\_\_

**10 Important Notice**

You must tell the court if you find out any other information about a custody case in any court for the children listed on this form.

Your name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**11** ☐ **Visitation**

I ask the court to order that the person in ② have the following temporary visitation rights:

- a. ☐ No visitation until the hearing
- b. ☐ No visitation after the hearing
- c. ☐ The following visitation ☐ until AND after the hearing ☐ after the hearing only

(1) ☐ **Weekends** (starting): \_\_\_\_/\_\_\_\_/\_\_\_\_ (*The 1st weekend of the month is the 1st weekend with a Saturday*)  
☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th weekend of month  
from \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m. to \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
(day of week) (time) (day of week) (time)

(2) ☐ **Weekdays** (starting date): \_\_\_\_/\_\_\_\_/\_\_\_\_  
from \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m. to \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
(day of week) (time) (day of week) (time)

(3) ☐ **Other Visitation**

*Attach a sheet of paper with other visitation days and times, like holidays, birthdays, sports events. List dates and times. Write "Item 9 - Visitation" at the top. Or, use Form MC-020.*

**12** ☐ **Responsibility for Transportation for Visitation**

*Responsibility for transportation means the parent will take or pick up the child or make arrangements for someone else to do so.*

- a. ☐ Mom ☐ Dad ☐ Other (*specify*): \_\_\_\_\_ **to** the visits.
- b. ☐ Mom ☐ Dad ☐ Other (*specify*): \_\_\_\_\_ **from** the visits.
- c. ☐ Drop-off / Pick up of children will be at: (*List address*): \_\_\_\_\_

**13** ☐ **Travel with Children**

☐ Mom ☐ Dad ☐ Other (*specify*): \_\_\_\_\_ MUST have written permission from the other parent, or a court order to take the children outside of:

- a. ☐ the State of California.
- b. ☐ other place(s), list: \_\_\_\_\_

**14** ☐ **Child Support**

- a. ☐ I ask the court for child support.  
(*You must fill out, file and attach FL-150 or FL-155 before your hearing.*)
- b. ☐ I now receive or have applied for TANF, Welfare, CalWORKS or Medi-Cal.

**15** ☐ **Supervised Visitation**

- a. I ask that the visitation in ⑪ be supervised by (*write name and telephone number*): \_\_\_\_\_

- b. I ask that any costs for supervision be paid as follows:

Mom \_\_\_\_\_% Dad \_\_\_\_\_% Other (*specify*) \_\_\_\_\_%

***This is not a Court Order.***



★ 1 Your name: \_\_\_\_\_

☒ Attached to FL-800, Item 22

2 ☐ Describe the most recent abuse.

a. Date of most recent abuse: \_\_\_\_/\_\_\_\_/\_\_\_\_

b. Who was there? \_\_\_\_\_

c. What did the person do or say? \_\_\_\_\_

d. Where did it happen? \_\_\_\_\_

e. Any guns or other weapons used or threatened? ☐ Yes ☐ No ☐ I don't know

(If "Yes", describe.)

f. Were you injured? ☐ Yes ☐ No ☐ I don't know

(If "Yes", describe.)

g. Is there anything else that you want the judge to know about what happened?

☐ If you need more space, check the box and attach form MC-020. Or attach a sheet of paper and write "Description of Abuse" at the top.

3

☐ Describe the 2nd most recent abuse.

- a. Date of 2nd most recent abuse: \_\_\_\_ / \_\_\_\_ / \_\_\_\_
- b. Who was there? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. What did the person do or say? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d. Where did it happen? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e. Any guns or other weapons used or threatened? ☐ Yes ☐ No ☐ I don't know  
(If "Yes", describe.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- f. Were you injured? ☐ Yes ☐ No ☐ I don't know  
(If "Yes", describe.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- g. Is there anything else that you want the judge to know about what happened?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ If you need more space, check the box and attach form MC-020. Or attach a sheet of paper and write "Description of Abuse" at the top.

4

☐ Describe other abuse against you or your children.

- \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ If you need more space, check the box and attach form MC-020. Or attach a sheet of paper and write "Description of Abuse" at the top.

If filed, clerk will stamp below

★ **1** Name of person asking for protection (protected person):

Protected person's address, or if confidential, address where mail can be sent *(Skip this if you have a lawyer)*:

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your phone # (optional): (\_\_\_\_\_) \_\_\_\_\_

Name of protected person's lawyer *(if any)*, address, telephone, and State Bar #: \_\_\_\_\_

◆ **2** Name of restrained person:

Description of that person: Sex: ☐ M ☐ F • Ht.: \_\_\_\_\_

Wt.: \_\_\_\_\_ • Race: \_\_\_\_\_ • Hair Color: \_\_\_\_\_

Eye Color: \_\_\_\_\_ • Age: \_\_\_\_\_ • Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_

*(Court name and street address):*

**Case Number:**

**3** List the names of all other family or household members protected by this order: \_\_\_\_\_

*Ésta es una orden de la corte. Tiene que obedecerla. Si no, lo podrían detener. La corte tiene información en español para ayudarle. Pida los formularios FL-857 y FL-858. O, hable con un abogado.*

**To the person named in ②: You must obey this order.**

You can be arrested if you do not obey this order. This Order ends on the date and time of the hearing below, unless a judge extends it.

**Hearing  
Date**

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Time: \_\_\_\_\_

Name & address of court if different from above:

Dept.: \_\_\_\_\_

Rm.: \_\_\_\_\_

**Go to this hearing. Go with or without a lawyer.** If you do not want the restraining orders against you, you can tell the judge why. You can also file a written answer on form FL-820.

If you miss the hearing, the judge can make the restraining orders last for up to 3 years. The judge can also make other orders that last longer.

If the judge makes a Restraining Order at the hearing, which has the same orders as in this form, you will get a copy of that order by mail at your last known address (below):

If this address is not correct, or to know if the orders were made permanent, contact the Court.

**This is a Court Order.**



Protected person's name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**Until the hearing, the restrained person in ② must follow these orders:**

**4 ☐ Child Custody and Visitation Order**

- a. ☐ You and the other parent must go to court mediation (*address*): \_\_\_\_\_
- b. ☐ Follow the orders listed in Form FL-831.

**5 ☐ Personal Conduct Order**

The person in ② must not: contact, either directly or indirectly, or telephone, send messages or mail, harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, disturb the peace, keep under surveillance, block movements, or molest any of the people listed in ① and ③.

**6 ☐ Stay-Away Order**

The person in ② must stay at least \_\_\_\_\_ yards away from:

- a. ☐ Person listed in ①
- b. ☐ The people listed in ③
- c. ☐ Home ☐ job ☐ car of person in ①
- d. ☐ The children's school or child care
- e. ☐ Other (*specify*): \_\_\_\_\_

**7 ☐ Move-out Order**

The person in ② must take only personal clothing and belongings needed until the hearing and move out immediately from (*address*): \_\_\_\_\_

**8 ☐ Written Contact for Ongoing Case**

The person in ② may have peaceful written contact with the person in ① for service of legal documents only, unless a criminal protective order says otherwise.

**9 ☐ No Guns or Other Firearms**

The person in ② cannot own, have, buy, receive or try to buy, or receive, or in any other way get a gun or firearm.

**10 ☐ Turn in or Sell Guns or Firearms**

The person in ②:

- must sell to a gun dealer or turn in to police any guns or firearms that he or she has or controls within 48 hours of receiving this order.
- must bring a receipt to the court within 72 hours of receiving this order, to prove that guns have been turned in or sold.

**11 ☐ Property Control**

Until the hearing, *only* the person in ① can use, control, and possess the following property: \_\_\_\_\_



Protected person's name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**12** ☐ **Property Restraint**

If the people in **1** and **2** are married, they must not transfer, borrow against, sell, hide, or get rid of or destroy any property, except in the usual course of business or for necessities of life.

**13** ☐ **Record Unlawful Communications**

Person in **1** can record communications made by the person in **2** that violate the judge's orders.

**14** ☐ **Free Service by Law Enforcement**

If local law enforcement can serve this order, they will do it for free. *In some counties, you have to file Form 982(a)(17). Ask the court clerk.*

**15** ☐ **Other Orders** (*specify*): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**16** ☐ **More Time for Service**

**A To: Person Asking for Order**

Someone 18 or over — **not you or the people in 3** — must personally “serve” a copy of this order to the person in **2** at least \_\_\_\_\_ days before the hearing.

**B To: Person Served with Order**

If you want to answer, someone 18 or over — **not you** — must “serve” Form FL-820 on the person in **1**, then file it with the court at least \_\_\_\_\_ days before the hearing.

*For help on Service or Answering, read Form FL-854 or FL-857.*

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



\_\_\_\_\_  
Judge (or Judicial Officer)

**Certificate of Compliance with VAWA**

This temporary protective order meets all Full Faith and Credit requirements of the Violence Against Women Act, 18 U.S.C. 2265 (1994) (VAWA). This court has jurisdiction over the parties and the subject matter; the restrained person has been afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and entitled to enforcement in all jurisdictions throughout the 50 United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths and possessions and shall be enforced as if it were an order of that jurisdiction.



Protected person's name: \_\_\_\_\_

Case Number: \_\_\_\_\_

## Warnings & Notices to Restrained Person in ②

### 17 If you do not obey this order, you can be arrested and charged with a crime.

- It is a felony to take or hide a child against this order. You can go to prison and/or pay a fine.
- If you travel to another state or to tribal lands, or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime under the Violence Against Women Act.



### 18 Guns



If ⑨ is checked, you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get a gun while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. If the orders are approved at the hearing listed on page 1, the court will order you to sell to a gun dealer or turn in to police any guns or firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. If a restraining order is made at the hearing, federal law says you cannot have guns or ammunition.

### 19 What to do after you have been served with a Restraining Order:

- Obey all the orders.
- If you want to answer, fill out Form FL-820. Take it to the court clerk with the forms listed in 20b below.
- File FL-820 and have all papers served on the protected person by the date indicated in ⑩ of this form.
- You do not have to pay to file Form FL-820 or other forms needed to answer.
- At the hearing, tell the judge if you agree to or disagree with the orders requested.

### 20 Child Custody, Visitation & Support:

- a. Child Custody and Visitation: If you do not go to the hearing, the judge can make custody and visitation orders for your children without hearing your side.
- b. Child Support: The judge can order child support based on the income of both parents. The judge can also have that support taken directly from your paycheck. Child support can be a lot of money and usually you have to pay until the child is 18. File and serve a Financial Statement (FL-155) or an Income and Expense Declaration (FL-150) so the judge will have information about your finances. Otherwise, the court will make support orders without hearing your side.



Protected person's name: \_\_\_\_\_

Case Number: \_\_\_\_\_

## Instructions for Law Enforcement

### 21 Start Date and End Date of Orders

The start date is the date next to the judge's signature on page 3. The orders end on the hearing date on page 1 or the hearing date on Form FL-825, if attached.

### 22 Arrest required if Order is violated.

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Penal Code, §§ 836(c)(1), 13701(b))

### 23 Notice / Proof of Service

Consider the restrained person "served" (noticed) if:

- the officer sees a copy of the Proof of Service, or confirms that the Proof of Service is on file, or
- the restrained person was at the restraining order hearing, or was informed of the order by an officer. (Family Code, § 6383, Penal Code, § 836(c)(2)).

### 24 The protected person cannot be arrested for contacting the restrained person.

**Only the restrained person can be arrested.**

Even if the protected person invites or consents to contact from the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact by the restrained person. The orders can only be changed by another court order. (Penal Code § 13710(b))

### 25 Child Custody and Visitation

- See the custody and visitation orders on Form FL-831, items ② & ③. They are sometimes also written on additional pages, referenced in FL-831 or in other orders that are not part of the restraining order.
- Forms FL-800 and FL-800A are not orders. Do not enforce them.**

### 26 Enforcing the Restraining Order in California

- Any law enforcement officer in California that receives, sees, or verifies the orders on the California Law Enforcement Telecommunications System (CLETS) must enforce the orders.
- Law enforcement must first determine if the restrained person had notice of the orders.
- If notice cannot be verified, the restrained person must be advised of the terms of the orders. If the restrained person fails to obey the orders, the officer must enforce them. (Family Code, § 6383)

### 27 Enforcing Restraining Orders Across State Lines

Restraining orders from other states, Washington D.C., Puerto Rico, tribal lands, and U.S. territories, commonwealths and possessions shall be presumed valid and enforced as if they were California orders where the order appears authentic. (Family Code, § 6380.5(a))

### 28 Conflicting Orders

If a criminal restraining order (MC-220) conflicts with any civil restraining order (FL-810 or FL-830), enforce the criminal order. Even if the criminal order is older, you must still enforce it over the civil order. (Penal Code § 136.2(h))

Clerk's Certificate

[SEAL]

I certify that the above Temporary Restraining Order is a true and correct copy of the original on file in the court. Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

If filed, clerk will stamp below

★ 1 Name of person who asked for the order:

\_\_\_\_\_

◆ 2 Your name:

\_\_\_\_\_

Your address, or if confidential, address where mail can be sent to you *(Skip this if you have a lawyer)*:

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your phone # (optional): (\_\_\_\_\_) \_\_\_\_\_

Your lawyer's name *(if you have one)*, address, telephone and State Bar #: \_\_\_\_\_

\_\_\_\_\_

**Give the judge your answers to FL-800:**

*(Court name and street address):*

**Case Number:**

3 ☐ **Personal Conduct Order**

I ☐ do ☐ do not agree to the order requested.

4 ☐ **Stay-Away Order**

I ☐ do ☐ do not agree to the order requested.

5 ☐ **Move-out Order**

I ☐ do ☐ do not agree to the order requested.

6 ☐ **Child Custody**

a. I ☐ do ☐ do not agree to the custody order requested.

b. ☐ I am not the parent of the child(ren) listed in FL-800A.

c. ☐ I ask for the following custody order *(specify)*: \_\_\_\_\_

\_\_\_\_\_

7 ☐ **Visitation**

a. I ☐ do ☐ do not agree to the visitation order requested.

b. ☐ I ask for the following visitation order *(specify)*: \_\_\_\_\_

\_\_\_\_\_

8 ☐ **Child Support**

I ☐ do ☐ do not agree to the order requested.

*You must fill out, serve and file Form FL-150 or FL-155.*

9 ☐ **Written Contact for Ongoing Case**

I ☐ do ☐ do not agree to the order requested.

10 ☐ **Record Unlawful Communications**

I ☐ do ☐ do not agree to the order requested.

The judge can consider your Answer at the hearing. Write your hearing date and time here:

Hearing  
Date

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Time: \_\_\_\_\_

Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

**You must obey the orders until the hearing.**

If you do not come to this hearing, the judge can make the restraining orders last for up to 3 years.



Protected person's name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**11** ☐ **Property Control**  
I ☐ do ☐ do not agree to the order requested.  
*If you have other requests, list them in **21** below.*

**12** ☐ **Debt Payment**  
I ☐ do ☐ do not agree to the order requested.  
*If you have other requests, list them in **21** below.*

**13** ☐ **Property Restraint**  
I ☐ do ☐ do not agree to the order requested.

**14** ☐ **Spousal Support**  
I ☐ do ☐ do not agree to the order requested.  
*You must fill out, serve and file Form FL-150.*

**15** ☐ **Attorney Fees and Costs**  
I ☐ do ☐ do not agree to the order requested.  
*You must fill out, serve and file Form FL-150.*

**16** ☐ **Restitution**  
I ☐ do ☐ do not agree to the order requested.

**17** ☐ **Batterer's Program**  
I ☐ do ☐ do not agree to the order requested.

**18** ☐ **Other Orders** (see **21** on Form FL-800)  
a. I ☐ do ☐ do not agree to the order requested.  
b. ☐ I want the following orders: (List here or in **21**.) \_\_\_\_\_

**19** ☐ **Turn in Guns or Other Firearms**  
a. ☐ I do not have any guns or firearms.  
b. ☐ I ☐ do ☐ do not agree to the order requested.  
c. ☐ I ☐ have ☐ have not turned in my guns to the police or licensed gun dealer.  
d. ☐ A copy of the receipt ☐ is attached. ☐ has already been filed.  
*(You must file a receipt with the court within 72 hours after receiving FL-810.)*

**20** ☐ **I ask the court to order payment of my**  
a. ☐ attorney fees  
b. ☐ out-of-pocket expenses because of the temporary restraining order issued without enough supporting facts. The expenses are:  
Item: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Item: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

**21** ☐ **My answer to the statements in FL-800.**  
*[Please attach your statement. Write "Item 21 – More Information" at the top. Be specific.]*

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_\_  
Type or print your name



\_\_\_\_\_  
Sign your name

If filed, clerk will stamp below

- ★ **1** Name of person asking for protection (protected person):

Protected person's address, or if confidential, address where mail can be sent (*Skip this if you have a lawyer*):

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your phone # (optional): (\_\_\_\_\_) \_\_\_\_\_

Name of protected person's lawyer (*if any*), address, telephone, and State Bar #: \_\_\_\_\_

- ◆ **2** Name of restrained person:

Description of that person: Sex: ☐ M ☐ F • Ht.: \_\_\_\_\_

Wt.: \_\_\_\_\_ • Race: \_\_\_\_\_ • Hair Color: \_\_\_\_\_

Eye Color: \_\_\_\_\_ • Age: \_\_\_\_\_ • Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_

(Court name and street address):

**Case Number:**

- 3** I ask the judge to reissue the Temporary Restraining Order, Form FL-810.

a. The last hearing was: \_\_\_\_/\_\_\_\_/\_\_\_\_

b. The Order has been reissued \_\_\_\_ times.

- 4** I ask the judge to reissue the Order because:

a. ☐ I couldn't get the Order served before the hearing date.

b. ☐ The date of the hearing was changed because we were sent to mediators or other family court services.

c. ☐ Other (*specify*): \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_\_  
Type or print your name



\_\_\_\_\_  
Sign your name

**Judge will fill out grey section below.**

**Court Order**

The Order listed in **3** is reissued and reset for hearing in this court on the date and time below. Unless a judge extends the time, the Order will end on the date and time below. The person in **2** must go to the hearing.

**Hearing Date**

→ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Time: \_\_\_\_\_  
Dept.: \_\_\_\_\_ Rm.: \_\_\_\_\_

Name & address of court if different from above:

All other orders in the Temporary Restraining Order stay in effect unless this order changes them.

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



\_\_\_\_\_  
Judge (or Judicial Officer)

After the judge signs this Order, make a copy and attach it to the other Orders (FL-800, FL-810 and other court papers).

Someone – **not you or anyone else protected by the order** – must personally give these papers to the person in **2**. Also, take a copy to law enforcement.

If filed, clerk will stamp below

- ★ 1 Name of person asking for protection (protected person):

Protected person's address, or if confidential, address where mail can be sent *(Skip this if you have a lawyer)*:

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your phone # (optional): (\_\_\_\_\_) \_\_\_\_\_

Name of protected person's lawyer *(if any)*, address, telephone, and State Bar #: \_\_\_\_\_

- ◆ 2 Name of restrained person:

Description of that person: Sex: ☐ M ☐ F • Ht.: \_\_\_\_\_

Wt.: \_\_\_\_\_ • Race: \_\_\_\_\_ • Hair Color: \_\_\_\_\_

Eye Color: \_\_\_\_\_ • Age: \_\_\_\_\_ • Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_

*(Court name and street address):*

**Case Number:**

- 3 List the names of all other family or household members protected by this order: \_\_\_\_\_

4 ☐ **Service**

- a. ☐ The people in 1 and 2 were at the hearing. No other proof of service is needed.
- b. ☐ The person in 1 was at the hearing. The person in 2 was not. But Proof of Service of FL-810 was presented to the court.
- (1) ☐ The judge's orders in this form are the same as FL-810 except for the end date. This order can be served by mail.
- (2) ☐ The judge's orders in this form are different from FL-810. Someone — not the people in 1 or 3 — must personally "serve" a copy of this order to the person in 2.
- c. ☐ The people in 1 and 2 have agreed in writing to this order. No other proof of service is needed.

*Ésta es una orden de la corte. Tiene que obedecerla. Si no, lo podrían detener. La corte tiene información en español para ayudarle. Pida los formularios FL-857 y FL-858. O, hable con un abogado.*

**To the person named in 2: You must obey this order.**

There was a hearing on: Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Time: \_\_\_\_\_ ☐ a.m. ☐ p.m. Dept.: \_\_\_\_\_ Rm.: \_\_\_\_\_

☐ Judge \_\_\_\_\_ made the orders below at the hearing.

They end at ☐ midnight, or \_\_\_\_\_ ☐ a.m. ☐ p.m. on: \_\_\_\_/\_\_\_\_/\_\_\_\_. **End Date**

*If no date is written, the restraining orders end 3 years after the date of the hearing.*

*If no time is written, they end at midnight on the end date.*

*Note: Custody, Visitation or Support Orders usually end when the children turn 18.*

☐ The people in 1 and 2 must return to this court on: \_\_\_\_/\_\_\_\_/\_\_\_\_ at: \_\_\_\_\_ ☐ a.m. ☐ p.m.

All orders stay in effect until the end date.

## 5 ☐ Personal Conduct Order

## 6 ☐ Stay-Away Order

c. ☐ Home    ☐ job    ☐ car of person in ①

## 7 ☐ Move-out Order

**8** ☐ **Written Contact for Ongoing Case**

9 ☐ **Child Custody & Visitation** is ordered on the attached Form FL-831, or other (*specify*): \_\_\_\_\_

**10** ☐ **Child Support** is ordered on the attached Form FL-833, or other (*specify*): \_\_\_\_\_

## 11 ☒ No Guns or Other Firearms

## 12 ☒ Turn in or Sell Guns or Firearms

- must sell to a gun dealer or turn in to police any guns or firearms that he or she has or controls. This must be done within 48 hours of receiving this order. But if the person in ② was at a hearing for this order, it must be done within 24 hours of the hearing.
- must bring a receipt to the court within 72 hours of receiving this order, to prove that guns have been turned in or sold.

### 13 ☐ Record Unlawful Communications

Page 2 of 5  
➔

Protected person's name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**14** ☐ **Batterer's Program**

The person in ② must go to and pay for a 52-week counseling program, and show proof of completion to the Court. This program must be approved by the Probation Department.

**15** ☐ **Free Service by Law Enforcement**

If local law enforcement can serve this order, they will do it for free.

**16** ☐ **Other Orders** relating to property control, debt payment, attorney fees, restitution, spousal support, counseling and/or other orders are in the attached form FL-835, or other (*specify*): \_\_\_\_\_

**17** ☐ All other orders and attachments mentioned in this order are attached and made a part of this order.

*Note: Custody, Visitation or Support Orders usually end when the children turn 18.*

Number of pages attached: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



\_\_\_\_\_  
Judge (or Judicial Officer)

## Warnings & Notices to Restrained Person in ②

**18** If you do not obey this order, you can be arrested and charged with a crime.

- It is a felony to take or hide a child against this order. You can go to prison and/or pay a fine.
- If you travel to another state or to tribal lands, or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime under the Violence Against Women Act.



**19** **Guns**



**You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get a gun while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. If the orders are approved at the hearing, the court will order you to sell to a gun dealer or turn in to police any guns or firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. If a restraining order is made at the hearing, federal law says you cannot have guns or ammunition.**



Protected person's name: \_\_\_\_\_

Case Number: \_\_\_\_\_

## Instructions for Law Enforcement

### A Start Date and End Date of Orders

The orders *start* the earlier of the following dates:

- the hearing date on page 1 or
- the date next to the judge's signature on page 3.

The orders *end* on the end date on page 1. If no end date is listed, they end 3 years from the start date.

### B Arrest required if Order is violated.

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Penal Code, §§ 836(c)(1), 13701(b))

### C Notice / Proof of Service

Consider the restrained person "served" (noticed) if:

- (1) the officer sees a copy of the Proof of Service, or confirms that the Proof of Service is on file, or
- (2) the restrained person was at the restraining order hearing, or was informed of the order by an officer. (Family Code, § 6383, Penal Code, § 836(c)(2))

### D The protected person cannot be arrested for contacting the restrained person.

**Only the restrained person can be arrested.**

Even if the protected person invites or consents to contact from the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact by the restrained person. The orders can only be changed by another court order. (Penal Code § 13710(b))

### E Child Custody and Visitation

- See the custody and visitation orders on Form FL-831, items ② & ③. They are sometimes also written on additional pages, referenced in FL-831 or in other orders that are not part of the restraining order.
- **Forms FL-800 and FL-800A are not orders. Do not enforce them.**

### F Enforcing the Restraining Order in California

- Any law enforcement officer in California that receives, sees, or verifies the orders on the California Law Enforcement Telecommunications System (CLETS) must enforce the orders.
- Law enforcement must first determine if the restrained person had notice of the orders.
- If notice cannot be verified, the restrained person must be advised of the terms of the orders. If the restrained person fails to obey the orders, the officer must enforce them. (Family Code, § 6383)

### G Enforcing Restraining Orders Across State Lines

Restraining orders from other states, Washington D.C., Puerto Rico, tribal lands, and U.S. territories, commonwealths and possessions shall be presumed valid and enforced as if they were California orders where the order appears authentic. (Family Code, § 6380.5(a))

### H Conflicting Orders

If a criminal restraining order (MC-220) conflicts with any civil restraining order (FL-810 or FL-830), enforce the criminal order. Even if the criminal order is older, you must still enforce it over the civil order. (Penal Code § 136.2(h))

Protected person's name: \_\_\_\_\_

Case Number: \_\_\_\_\_

### **Certificate of Compliance with VAWA**

This protective order meets all Full Faith and Credit requirements of the Violence Against Women Act, 18 U.S.C. 2265 (1994) (VAWA). This court has jurisdiction over the parties and the subject matter; the restrained person has been afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and entitled to enforcement in all jurisdictions throughout the 50 United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths and possessions and shall be enforced as if it were an order of that jurisdiction.

#### **Clerk's Certificate**

[SEAL]

I certify that the above Restraining Order after Hearing is a true and correct copy of the original on file in the court.

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy